



# Austin City Council MINUTES

For

DECEMBER 19, 1985 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## City Council

Frank C. Cooksey  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Smoot Carl-Mitchell  
Sally Shipman  
George Humphrey  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

## Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmember Carl-Mitchell. Councilmember Urdy was absent during the first part of the meeting, but entered the Council Chamber later.

### CITIZENS COMMUNICATIONS

Mr. Frederick O. Evans, who had requested to speak, did not appear.

Rev. David L. Dukes asked if the Pledge of Allegiance can be said at the beginning of Council meetings. Mayor Cooksey told him they would investigate.

Mr. Scott Sousares discussed limited purpose annexation for property near Lake Travis. He was asked to discuss this with Planning and Growth Management Department.

Ms. Mary Jo A. Jirek discussed the Dog Ordinance.

Mr. Gerald Hurley discussed funds for 1986 Special Olympic participants.

### CONSENT RESOLUTIONS

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmembers Carl-Mitchell and Urdy absent.)

Lease for Fire Department

Amended the lease with State Realty Company for the Austin Fire Department.

Capital Improvements

Approved the following change orders:

- a. In the amount of \$973.30 to Shawnee Construction, Inc. Contractor for the Upper Shoal Creek Wastewater Interceptor Phase II-B Contract. (.1% increase of the original contract) CAPITAL IMPROVEMENTS No. 72/23-16
- b. In the amount of \$116,660.00 to Olmos Equipment Company for adjusting of the wastewater drainage system in the Northwest Park Redevelopment to allow for construction of flood control detention ponds. (2.46% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 86/23-04

Option Contract

Authorized and approved an Option Contract modifying the Original Option Contract approved March 21, 1985, increasing the purchase price for additional property easements required for the raw water intake structure for Water Treatment Plant No. 4. CAPITAL IMPROVEMENTS PROGRAM No. 85/22-27.

Contracts Approved

Approved the following contracts:

FINWAY, INC.  
3517 North Frazier  
Conroe, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Overhead Electric  
Distribution Facilities for McCall  
Lane from Burleson Road east to  
Hwy 183, Electric Utility Dept.  
Total \$47,574.53 C.I.P. No.  
86/14-02

ELECTRIC UTILITY CONSTRUCTION  
COMPANY  
5401 South Sheridan  
Unit 202  
Tulsa, Oklahoma

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Overhead Electric  
Distribution Facilities for  
Lamplight Village Reconnector,  
Electric Utility Department  
Total \$34,400.20 C.I.P. NO.  
86/14-02

ELECTRIC UTILITY CONSTRUCTION  
COMPANY  
5401 South Sheridan, Unit 202  
Tulsa, Oklahoma

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Overhead Electric  
Distribution Facilities for the  
High Road - 3 Phase Reconductor,  
Electric Utility Department  
Total \$41,818.10 C.I.P. No.  
86/14-02

JAMES P. MITCHELL CONSTRUCTION  
Inc.,  
4701 Westgate Blvd  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Police Headquarters  
and Patrol Building Improvements,  
Public Works Department  
Total \$913,000.00 C.I.P. No.  
85/87-02

P. A. STARK CONSTRUCTION CO.,  
16327 Flint Rock Road  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Brodie Lane Paving  
and Drainage (from William Carnon  
Drive to Paisano Trail) including  
a 24" Water Approach Main,  
Public Works Department  
Total \$2,214,513.79 C.I.P. Nos.  
79/62-14, 86/22-04, & 86/23-04

G. R. CRAWFORD CONSTRUCTION  
INC.,  
5402 Simsbrook  
Houston, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Davis Water Treatment Transmission  
Main Phase VIII, Water and  
Wastewater Utility Department  
Total \$1,358,000.00 C.I.P. No.  
85/22-41

R. C. RODRIGUEZ GENERAL  
CONTRACTORS (MBE)  
2214 South First Street  
Austin, Texas

- Construction Work at Brackenridge  
Hospital, Public Works Department  
Total \$71,940.00 86-C043-JJ

VWR SCIENTIFIC, INC.  
5717 Salmen Street  
Harahan, Louisiana

- Kodak Photographic Supplies,  
Austin Police Department  
Twelve (12) Month Supply Agreement  
Item 1-81 - \$90,336.00 85-0409-GW

CAPITOL ANESTHESIOLOGY ASSOCIATES  
1005 West 38th Street  
Suite 300  
Austin, Texas

- Anesthesiology Physician Services,  
Health Department  
Twelve (12) Month Contract  
Total \$400,000.00 86-S167-LI

SOUTHERN SAFETY SALES  
P. O. Box 4065  
Austin, Texas

- Nebulizers, Sterile Water, and Sodium Chloride, Brackenridge Hospital  
Twelve (12) Month Supply Agreement  
Total \$31,024.56 BS6-018

Bid award:

- Furnishing of Drugs, Brackenridge Hospital  
Twelve (12) Month Supply Agreement  
Total \$2,091,600.00

(1) AMFAC DRUG SUPPLY COMPANY  
12732 O'Connor  
San Antonio, Texas

- \$1,983,600.00

(2) MCKESSON DRUG COMPANY  
P. O. Box 1308  
Arlington, Texas

- \$108,000.00

Bid award:

- Twenty-seven (27) additional, eighty-eight (88) replacement Patrol Sedans and four (4) additional Two-wheel Drive Carryall Vehicles, Vehicle and Equipment Services Department  
Total \$1,323,519.13 86-0022-JB/CM

(1) LIEF JOHNSON FORD, INC.  
501 Koenig Lane  
Austin, Texas

- Item 1 - \$1,274,773.85

(2) HENNA CHEVROLET, INC.  
7522 North IH-35  
Austin, Texas

- Item 2 - \$48,745.28

Water Distribution System

Authorized an amendment to a contract with Metcalf and Eddy, Inc. for the Water Distribution System Computer Model Segment of the Water and Wastewater Master Plan (\$50,000).

Grant

Authorized the City of Austin to accept a grant from the Texas Department of Community Affairs for \$346,935 to operate the seven urban neighborhood centers during FY 1985-86.

Regional Wastewater Treatment Services

Approved appointment of City of Austin representatives to the Technical Committee for the Brushy Creek Water Control and Improvements District #1 Contract for Regional Wastewater Treatment Services.

Items Postponed

Postponed until January 16, 1986 revisions to the North Austin MUD Land Plan; & until 1/9/86 appointments to 78 member Comprehensive Steering Committee and chairman of same.

Public Hearing Set

- a. Set a public hearing for January 16, 1985 at 5:00 p.m. to amend Section 13-2-1 of the Zoning Ordinance, amending the definition of "Restaurant" to conform to current regulations.
- b. Set a public hearing for January 9, 1986 at 6:00 p.m. on Sixth Street Mercado UDAG project.

Right-of-Way Acquisition

Authorized acquisition of right-of-way for the "Govalle to Onion Creek Wastewater Treatment Plants Transfer Main" (a component of the Austin Wastewater Action Strategy). CAPITAL IMPROVEMENTS PROGRAM No. 73/12-83.

Lease

Approved a lease with Bear Creek Properties, Inc. for Financial Services (Office Services).

Energy

Entered into agreements with the Valley View Energy Corporation, Houston Lighting & Power Company, and Texas Utilities Electric Company to facilitate the wheeling of electricity from Valley View renewable energy generating facilities to the City of Austin.

Parkland

Accepted a gift of parkland consisting of 43.331 acres of land located at the northwest corner of the Montopolis Bridge and extending upstream toward Longhorn Dam, and 30.5 acres of land located between Walnut Creek and the Colorado River with borders on both Walnut Creek and the river.

## CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (5-0 Vote, Councilmembers Carl-Mitchell and Urdy absent.)

Capital Improvements

Amended the FY 1985-86 Capital Improvements Program by:

- a. Appropriating \$15,000,000.00 originally scheduled to be appropriated in FY 86-87 for the Onion Creek Water and Wastewater Treatment Plant Expansion, Phase III project. C.I.P. No. 85/23-16

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Declared the necessity for and ordered improvements to Dittmar Road, Phase II, consisting of 1 unit covering approximately 2½ blocks. C.I.P. No. 79/62-38.

Police Retirement Board

Amended Ordinance No. 821118-F to allow a Police Officer member of the Police Retirement Board to serve out the remainder of the term at retirement.

Rate for Wholesale Unmetered Customers

Amended Ordinance No. 850925-G to provide a rate for wholesale unmetered customers within a water district or other incorporated town or city.

City Review of MUD Bond Issuances

Amended Chapter 9-13, Code of the City of Austin, 1985 to provide for city review of Municipal Utility District Bond Issuances.

Disannexation Ordinance

Approved second and third readings of an ordinance disannexing

the following:

- a. Approximately 2.654 acres of land out of the James D. Goode Survey No. 30, Frank Brandon Tract. Must be passed prior to limited purpose annexation. C7a-85-001.

#### Annexation

Passed through second and third readings of ordinances annexing the following:

Approximately 1,718 acres of land out of the Santiago Del Valle Grant, Platted and Unplatted land for full purposes. C7a-85-023

Approximately 642 acres of land out of the Jesse Williams Survey No. 62 and the Thomas Anderson League No. 17, Oak Hill United Methodist Church Addition and Unplatted land for full purposes. C7a-85-026.

Approximately 1,256 acres of land out of the Thomas Anderson League No. 17, Platted and Unplatted land for full purposes. C7a-85-028

Approximately 2,413.27 acres of land out of the Santiago Del Valle Grant and the Garner Mayes Survey, Bergstrom Air Force Base for full purposes. C7a-85-030

Approximately 43 acres of land out of the Jas. Howlett Survey and the Henry Rhodes Survey, Platted land and a portion of Spicewood Springs Road for full purposes. C7a-85-031

Approximately 25.08 acres of land out the Jas. Trammel Survey, Flournoy Acres, Section 4, Sunset Valley, Section 2, and a portion of Jones Road for full purposes. C7a-85-032

Approximately 2.34 acres of land out of the Henry P. Hill League No. 21, portion of Walsh Tarlton Lane for full purposes. C7a-85-035

Approximately 199.42 acres of land out of the Henry P. Hill League No. 21 and the Alex Eanes Survey No. 500, portions of Old Walsh Tarlton Lane, Capital Parkway, Montebello Road and Wilderness Drive, Treemont Phase A, Section 1, Treemont Phase A, Section 2 and Treemont Phase B, Section 2, and Unplatted land for full purposes. C7a-85-035

Approximately 97.37 acres of land out of the Elisha Allen Survey No. 2 in Williamson County, Texas, proposed Maconda Park for full purposes. C7a-85-009

Approximately 17.43 square miles of land out of the James Jett Survey No. 1, the W. B. Royal Survey No. 75, the R. L. Preece Survey No. 2, the John Jackson Survey No. 5, the James Cole Survey No. 542, the B. Payne Survey No. 288 and other surveys in Travis County, Texas, Platted and Unplatted land for limited purposes of planning and zoning. C7a-85-034

Approximately 47.93 acres of land out of the L. Fritz Survey No. 291, the John C. Brooks Survey No. 53 and the J. C. Harrelson Survey No. 78, portions of North Oaks and North Oaks Section 2 and Unplatted land for full purposes. C7a-85-024

Approximately 1,391 acres of land out of the A. Neppin Survey No. 600, James Rynearson Survey No. 34, H. McClure Survey No. 94, A. Bowles Survey No. 93 and other surveys, upper Williamson Creek Area for full purposes. C7a-85-010

Approximately 682 acres of land out of the A. Neppin Survey No. 600, James Rynearson Survey No. 34, H. McClure Survey No. 94, A. Bowles Survey No. 93 and other surveys, Upper Williamson Creek Area for limited purposes of planning and zoning. C7a-85-010

Approximately 2.654 acres of land out of the James D. Goode Survey No. 30, Frank Brandon Tract for limited purposes of planning and zoning. C7a-85-001

### Zoning Ordinance

Amended Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes:

- a. C. M. DUCKETT                      1825 South I.H. 35                      From "GR"  
By Miguel Guerrero                      to "CS" & "LO"  
C14r-85-204                      EMERGENCY PASSAGE OF ORDINANCE

Heard and granted September 5, 1985, (7-0). Conditions have been met as follows: Development restricted to that shown on site plan attached as Exhibit "A" to the ordinance.

- b. ELISA & DAVID GARCIA                      6200-6208 Clovis Street                      From "SF-3"  
By Caroline L. Johnson                      to "CS"  
C14-85-160

Heard and granted August 1, 1985 (6-0). Mayor Pro-Tem John Trevino absent. No conditions to be met.

- c. CITY OF AUSTIN Proposed Farmer Lane From present process  
By Office of Land of being annexed to  
Development Services "SF-2", "SF-4",  
C14-85-186 "SF-5", "NO", "LR",  
"GR", "CS", "LI",  
"R&D", "P"

Heard and granted July 18, 1985, (6-0). Councilmember Sally Shipman absent. No conditions to be met.

- d. CAPITOL AGGREGATES 9114 Old Jollyville From Interim "SF-3"  
By Herman Thun, Jr. Road to "LO" & "A"  
C14-84-378

Heard and granted January 10, 1985, (7-0). Conditions have been met as follows: (1) Development restricted to that shown on site plan attached as Exhibit "A" to the ordinance (2) Restrictive Covenant incorporating conditions imposed by Council has been executed.

#### Moratorium on Processing Wrecker Permits

Established a moratorium on processing of wrecker permits for ninety days, providing for an extension of all current permits until March 31, 1986.

#### Banner On Congress Avenue

Suspended Ordinance No. 821021-C on January 11, 1986 in order to allow a banner to be placed across Congress Avenue at 7th Street.

#### CAPITAL IMPROVEMENTS PROGRAM

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance amending the 1985-86 Capital Improvements Program by appropriating funds approved in the December 14, 1985 Bond Election as follows: (5-0 Vote. Councilmembers Urdy and Carl-Mitchell absent.)

Electric	\$180,637,000
Water	78,100,000
Wastewater	142,000,000
Parks	4,615,000
Resource Management	13,633,800

#### WATER CONSERVATION

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending the Code of the City of Austin, 1981, by adding a new Chapter 4-4, Water Conservation, requiring water conservation device retrofit. (5-0 Vote, Councilmember Rose out of room, Councilmember Carl-Mitchell absent.)

## ITEM POSTPONED

Postponed until January 9, 1986 is consideration of an ordinance amending Ordinance No. 850905-J (Interim Development Controls for Onion, Bear and Little Bear Watersheds) to provide for approval of exemptions from requirements imposed thereby.

## ANNEXATIONS

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, passed through SECOND AND THIRD readings of an ordinance annexing the following: (6-0 Vote, Councilmember Carl-Mitchell absent.)

Approximately 1,033 acres of land out of the J.A.G. Brooks Survey No. 79, Thos. H. Mays Survey No. 89, Thomas C. Collins Survey. 61, Merucan Hunt Survey No. 88, Samuel Cushing Survey No. 70 and other surveys, portions of Yager Lane, River Oaks Drive and Berrywood Drive, Platted and Unplatted land for full purposes. C7a-85-024.

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The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, passed through SECOND READING ONLY of an ordinance annexing the following: (3rd reading January 9, 1986) (6-0 Vote, Councilmember Carl-Mitchell absent.)

Approximately 8.98 square miles of land out of the L. Fritz Survey, Alex Dunlop Survey No. 594, A. E. Livingston Survey No. 455, M. P. Paschall Survey No. 40, P. M. Rozzell Survey No. 641 an other surveys, Platted and Unplatted land for limited purposes of planning and zoning. C7a-85-034

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The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, passed through SECOND READING ONLY of an ordinance annexing the following: (3rd reading January 16, 1986) (6-0 Vote, Councilmember Carl-Mitchell absent.)

Approximately 1.74 square miles of land out of the James Rynearson Survey No. 34, M. Thomas Survey No. 509, Casper Dittmar Survey No. 611, A. Neppin Survey No. 600 and other surveys, upper Williamson Creek area for limited purposes of of planning and zoning. C7a-85-010

## ZONING ORDINANCE

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes: (5-1-0 Vote, Councilmember Shipman voted No, Councilmember Carl-Mitchell absent.)

TOPLETZ DEVELOPMENT  
COMPANY  
C14r-84-237

10909 FM 2222

From "I-AA" 1st  
to "GR" 1st & "O-1" 1st

EMERGENCY PASSAGE OF ORDINANCE

## CHILTON CORPORATION

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, adopted a resolution extending the contract with Chilton Corporation for accounts receivable collection services for Brackenridge Hospital. (6-0 Vote, Councilmember Carl-Mitchell absent.)

## BRACKENRIDGE 2000 PROJECT

The Brackenridge Hospital Report on Brackenridge 2000 was presented by Mrs. Betty Himmelblau who said this is something which should begin immediately. She said bids for construction of the children's hospital should be solicited immediately, that planning efforts to meet the needs of the expanding and modernization, the emergency surgical and critical care departments be initiated. "The Brackenridge 2000 Project was proposed to include approximately 204,000 square feet of construction and renovation at a total cost of \$50,000,000. The first phase-in is already underway. The children's emergi-care area is completed and provides a separate environment to insulate the children in the intense situations in a traditional emergency room. The heliport is under construction and Starflight will soon be housed adjacent to the emergency department. A phase-in approach is recommended. The next priority should be the construction of the children's hospital. The pediatric program is the center of excellence and is important to the hospital's overall future success. It represents years of planning by many different groups of people and will meet the current needs of the region with adequate expansion capability for future needs. This represents an opportunity for Brackenridge to maintain a dominant position in pediatric medicine and surgery throughout the central Texas area and will serve as a magnet for a wide range of specialty services that will give Austin's children the best and most modern health care. ...."

City Manager Carrasco introduced the City Manager report on Brackenridge 2000 Project. He said the funding issue must be carefully thought out in order to develop the financial portion of their plans to rejuvenate the hospital and provide the kind of support in order to be successful. Mr. Carrasco said a plan was outlined last summer and he

would like a public hearing held on the issue of funding for the near poor. They project there needs to be a supplement of between \$5.3 million and \$6.4 million annually in order "for us to fund the care for not only the near poor, but to make sure we deal with the issue of people who do not qualify for medical assistance and that are currently being served by the hospital. ...."

Tom Young, Director of Brackenrige Hospital, discussed the children's hospital construction. He told Council that if action is not taken promptly then other hospitals in the area will do what Brackenridge is planning to do and that will divide pediatric care in the area. Presently, Mr. Young stated, Brackenridge leads in pediatrics. Mr. Young asked Council's approval to proceed with the children's hospital as currently designed. (See further comments by Mr. Carrasco made after the following vote was taken.)

Architects

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, adopted a resolution approving a Supplemental Amendment to an existing Professional Services Agreement between the City of Austin and JV5/BRACKENRIDGE 2000 Architects/Engineers for professional services associated with review and revision of contract documents preparatory to receipt of bids for the Children's Hospital portion of Brackenridge 2000 project. C.I.P. No. 84/84-01 (\$185,000.00) (6-0 Vote, Councilmember Carl-Mitchell absent.)

NEUROSURGEON PHYSICIAN SERVICES

The Council, on Councilmember Humphrey's second, Mayor Pro Tem Trevino's second, adopted a resolution approving the following contract: (6-0 Vote, Councilmember Carl-Mitchell absent.)

- Neurosurgeon Physician Services  
Health Department  
Twelve (12) Month Contract  
Total \$225,000.00 86-S195-LI
- (1) EDWIN M. BUSTER, M.D. - 60,000.00  
711 West 38th Street  
Austin, Texas
- (2) MARVIN CRESSMAN, M.D. - \$60,000.00  
711 West 38th Street  
Austin, Texas
- (3) MICHAEL DORSEN, M.D. - \$60,000.00  
711 West 38th Street  
Austin, Texas

- |  |   |             |
|--|---|-------------|
| (4) BYRON NEELY, M.D.<br>711 West 38th Street<br>Austin, Texas       | - | \$60,000.00 |
| (5) DONALD W. PATRICK, M.D.<br>311 West 38th Street<br>Austin, Texas | - | \$60,000.00 |
| (6) Lee Berlad   | - | \$15,000.00 |

**COMMENTS BY CITY MANAGER CARRASCO RE BRACKENRIDGE 2000**

City Manager Carrasco stated, "We want to make sure Council felt comfortable in directing us to begin the facilities development plan that would be required in order to expand and modernize the emergency department, the surgical suite and the critical care unit. The second item is the recommendation that the Council consider setting a public hearing on the funding plan with respect to the care for the near poor." Mayor Cooksey said, "Before we set the hearing on the funding plan for the near poor, I would like to get a recommendation from the Hospital Board on that. Regarding the other item I personally have no problem with proceeding. Does any member of the Council have any objection to that? (No one indicated objection.) That's included in the previously passed authority to finance that through bonds. Do we need to have a resolution authorizing that in any way or is that simply something you want Council input on?" Mr. Carrasco said he just wanted direction and "if Mayor and Council feels comfortable with that we will proceed accordingly." Mayor Cooksey said, "If you feel you need a resolution on it we will be glad to pass one at our next meeting." Mr. Carrasco stated, "That's fine, Mayor, that is sufficient."

**SETTLEMENT OF HOUSTON LIGHTING AND POWER, ET AL**

Council had before them a resolution to consider action on a proposed settlement of Houston Lighting and Power, et al vs. Brown and Root, et al. Mayor Cooksey said "We have a motion. I would like our City Attorney to advise us on the substance of the motion and the effect of it so we understand what we are voting on. (No motion stated at this point.) Mr. Paul Isham, City Attorney, stated, "Back in May of this year the defendants in the Matagorda County litigation, that's the litigation Houston Lighting and Power filed against Brown and Root and Halliburton in their own behalf as well as project manager on behalf of the four participants in the South Texas Project. Halliburton, Brown & Root made an offer of settlement to the four parties. That offer was to pay \$750,000,000.00 quarterly, over a seven year period of time. The

first payment commencing on October 1, 1985, or contingent upon the receipt of a final order from the Public Utility Commission approving the settlement as it pertains to two privately owned utilities, Houston Lighting and Power Company and Central Power and Light. However, there is a proviso in the settlement agreement that those utilities could waive the requirement of the Public Utility Commission to approve that settlement. In addition to the \$750,000,000, Austin would receive \$120 million of that \$750 million which would be a portion in accordance with the interest in the project. Halliburton and Brown & Root will transfer to the utilities approximately \$50-million dollars worth of equipment at the site at the South Texas Project. This is equipment which was in dispute as far as the ownership of the equipment. Brown & Root was taking position in the law suit that they owned that equipment and it should be returned to them. So that is an additional consideration that equipment will be conveyed to the four utilities. In addition each of the participants will release Halliburton and Brown & Root from all claims and liability regarding the South Texas Project and the litigation. In addition, Brown & Root and Halliburton will release to the four participating facilities any claim with regards to monies that may be owed to them as a result of their work on the project. In addition the Matagorda County litigation would be dismissed. As I am sure everyone knows after this settlement offer was conveyed, it was conveyed on the terms that any number of participants in the project owning 50% or more of the plant would accept the terms of the settlement. There was another proviso in the settlement offer that if 51% or more of the ownership interest accepted the settlement that any subsequent settlement with the remaining participants would be in such a manner that the settling participants would not be disadvantaged by such settlement. There was a favorite nation clause in the settlement offer that essentially said that if someone did not agree to the settlement, a later settlement, if it was better would accrue to the benefits of all, benefits of that settlement would accrue to all the settling parties. What it did was make it very difficult for Austin at that time being the only party that indicated it was not accepting the settlement in May to secure additional consideration for the settlement. We all know HL&P, Central Power and Light filed a petition with the Public Utility Commission asking that the Public Utility Commission approve this settlement as to those utilities. Ultimately that petition was dismissed by the Public Utility Commission. That occurred two to three weeks ago. Subsequent to that dismissal by the PUC the parties, investor owned utilities, HL&P and Central Power and Light have waived the provision that a final ordinance be received by the Public Utility Commission approving this settlement. They have indicated as San Antonio, all three other owners in the South Texas Project, formally approved the settlement offer. The matter is now before this City Council to determine whether it desires to accept its proportionate share of the settlement offer. As we have discussed in previous executive sessions your attorneys, both outside law firms Fulbright-Jaworski and Miller-Canfield-Paddock & Stone as well as myself have recommended to you that under the circumstances that you accept this settlement offer."

Mayor Cooksey asked, "Does this settlement in any way preclude our continuation if necessary of the lawsuit against Houston Light and Power Company that we presently have filed in Travis County?" Mr. Isham said, "No, sir, it doesn't." Mayor Cooksey asked, "Does it in any way in your opinion or the other attorneys, undermine our lawsuit in that respect?" Mr. Isham said, "No, we do not believe it does." Mayor Cooksey said, "It is my understanding that after this action today you and Fulbright & Jaworski and Mr. Hyden of the Michigan firm will review the settlement documents and determine the adequacy of those documents to protect the interest of the City of Austin?" Mr. Isham said, "Yes, sir, in fact we have furnished copies of all settlement documents, not only the ones that the City of Austin will be asked to sign, but the ones signed by the other participating owners in advance and we find them in order. There is a closing scheduled for tomorrow in Houston that if Austin approves the settlement today it would be included in that closing. If it is not approved, I can't say if the closing will go forward or not, but the documents are in such a form that they are individual documents as to each owner as compared to a joint document." Mayor Cooksey said, "Then all of these documents have already been reviewed. In the original proposal there was a requirement that the PUC review and approve this settlement and may have since declined to review the settlement. Has that been taken out as a condition by Brown & Root and Halliburton at this point?" Mr. Isham said maybe John Baine of Fulbright & Jaworski can help, but I think that condition was placed in there at the insistence of Houston Lighting and Power and Central Power and Light and there is a waiver provision and whether that provision has been taken out of the revised document or whether the waiver has been executed, I do not know." Mr. Baine stated, "They had asked that it be handled by waiver so the parties other than Halliburton and Brown & Root and those other parties that were going to benefit by the provision are going to waive it."

Councilmember Urdy asked about the legal fees which have already been incurred in the lawsuit. Mr. Isham said there is not a separate payment as part of the offer for attorney fees. Each party will bear its own attorney fees. Those fees are reimbursed through the \$120-million dollar payment.

#### Motion

Councilmember Rose offered the following motion: "I will move that the City of Austin accept the settlement of the Houston Lighting and Power et al vs Brown & Root lawsuit and that we instruct either the Mayor or the Manager as his designee to sign at subsequent closing." Councilmember Humphrey seconded the motion.

Councilmember Shipman said this proposal has been discussed for months in executive sessions. "The proposed settlement is for less than Austin's actual damages and for this reason my vote is no."

Mayor Cooksey stated, "I think the vote we are taking today is an individual decision, however I do believe that in this case we should

follow the advice of our attorneys since they have been involved in this litigation for some 2½ to 3 years now. They have been involved in deposition and analysis involving many, many hours of effort and consideration. They have done an excellent job in getting us to where we are today from the position where we started out in this matter....that is with Brown & Root and Halliburton refusing to take any responsibility whatsoever for any damages to the City of Austin and the other participants in the project. I think this settlement is one of the largest that I know of in the history of litigation unless Texaco decides to settle its case. I think we have done well in this matter and therefore I am willing to vote to approve it."

Councilmember Rose stated, "There is a long and somewhat sordid history involving all of this and we do make individual decisions, but collectively, we represent the people of Austin and one of the things that we have to do in terms of that recommendation is be stewards of our citizens money. There is an unhappy fact situation that just never seems to go away with the South Texas Nuclear Project despite our desires and our personal preferences. That is that we are partners in that project and the fact situation here is that our partners have all agreed to settle. This is the settlement offer on the table and it is the largest settlement to date in the history of the United States. The probability of Austin going down alone to Matagorda County and trying this lawsuit and incurring all of those costs and coming up with something better than this is remote, extremely remote. I don't think it would be a wise decision for us to make on behalf of the citizens of Austin. I think what we need to do is settle this suit so we can continue to focus our energy, legal as well as mental as well as political on Houston Light and Power and try and find a way out of the South Texas Nuclear Project if possible. There has been a thought that has run through this discussion that there is a way, perhaps, that we could use the settlement suit, or the subsequent trial, the Brown and Root suit, as a way for Brown and Root to take us out of STNP. They have said time and time again that they do not have any interest in doing that. It is simply a question of settling a lawsuit or trying a lawsuit. The discussion we had with our partners, Houston Light & Power and some of the other people, that is a different discussion and a different fact situation. So we have before us the question of whether we think we can go to Matagorda County and try, on our own, a ten year lawsuit and come up with a better deal than the settlement that is before us. I don't think there is any possible way so I think this is an extremely wise decision the Council is making, if we decided to accept the settlement. It doesn't mean we like STNP, it doesn't mean we like or dislike nuclear power. It doesn't have anything to do with that. This is a wise decision and I concur with the Mayor when he said that we are best served to take the advice of our legal staff who would have to try that suit if we just sent them down to try to do that."

Councilmember Urdy stated, "I said last spring when our partners in this agreed to settle that I thought the City of Austin should join them. Simply because the way the settlement is structured, Austin would

have to recover from Halliburton and Brown & Root \$100,000,000.00 in order to capture sixteen. It would cost us probably more that that to try the suit. So, it seems to me we would be losing a lot of time with diminishing returns when we should be focusing our attention in another direction and I am not one who likes STNP but I agree with the Mayor, we should settle the lawsuit and I think this is the best we will ever get out of this lawsuit."

Mr. Harrison, Ms. Shultz and Mr. Robbins expressed their displeasure with the settlement.as did Tom Smith.

Roll Call on Motion

5-1 Vote, Councilmember Shipman voted No,  
Councilmember Carl-Mitchell absent.

Councilmember Humphrey stated, "I would like to ask the City staff that we get together because we have \$120-million that will be coming into the coffers of the City of Austin and I do not want this to be taken as new money for the City of Austin. I had the luck to meet with Mr. Amory Lubbins who is considered the guru of the conservation movement throughout the world. He advises both Republicans and Democrats and he told me that cancellation would be to our best economic interest. He has shown me the numbers where cancellation would not only be to our best economic interest but to the partners also. I believe that an earlier Council voted for cancellation and I would like to have some sort of study with this money that could be done at a very small amount, probably about two hours payments on the nuke, that we could get detailed information to see whether or not this would be the proper thing to do to offer our partners. The second choice I would have with the money is to use it on a conservation program where we are saving money, keeping money in the City of Austin, lowering people's utility bills and finally reducing our substantial debt. I would like to meet with you this week to figure out what we are going to do with this money."

RECESS - Council recessed its meeting from 4:25 to 4:50 p.m. and resumed its meeting to take up the Austin Housing Finance Corpotion meeting, which lasted from 4:50 to 5:00 p.m. Council resumed its recessed meeting at 5:00 p.m,

**CONTRACT FOR WEATHERIZATION CONTRACTOR DEVELOPMENT PROGRAM**

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, adopted a resolution approving the following contract: (5-0 Vote, Councilmember Rose out of the room, Councilmember Carl-Mitchell absent.)

(See next page.)

- o. Bid award:
  - Weatherization Contractor  
Development Program, Resource  
Management Department  
Total \$140,800.00 86-S117-LI
  - (1) ALL SEASONS WEATHERIZATION (MBE), P. O. Box 201585  
Austin, Texas - Not to exceed \$35,200
  - (2) ENERGY MECHANICS (MBE)  
8741 Birmingham  
Austin, Texas - Not to exceed \$35,200
  - (3) ENERGY SAVINGS CONTRACTORS (MBE), P. O. Box 4057  
Austin, Texas - Not to exceed \$35,200
  - (4) PAYTON & ASSOCIATES (MBE)  
7610 Cameron Road, Suite 1109  
Austin, Texas - Not to exceed \$35,200

CONTRACT FOR GAS TURBINE GENERATING UNITS

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the following contract: (5-0 Vote, Councilmember Rose out of the room Councilmember Carl-Mitchell absent.)

(COMPLETE TRANSCRIPT OF DISCUSSION IS ON FILE IN CITY CLERK'S OFFICE.)

ENERGY SERVICES, INC.  
4800 Sugar Grove Boulevard  
Suite 610  
Stafford, Texas

-CAPITAL IMPROVEMENTS PROGRAM  
Four (4) Gas Turbine Generating  
Units with 199.3 Megawatts  
of Generating Capacity, Electric  
Utility Department - \$24,395,890  
C.I.P. No. 85/12-04

CONTRACT FOR NATURAL GAS SUPPLY AGREEMENT

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted a resolution approving the following contract:

EXXON GAS SYSTEMS, INC.  
4550 Dacoma, #1110  
Houston, Texas

-Natural Gas, Electric Utility  
Department  
10.5 Month Supply Agreement  
Item 1 - \$32,991,000 86-0012-0M

(5-0 Vote, Councilmember Rose out of the room, Councilmember Carl-Mitchell absent.)

## ITEM POSTPONED

Postponed until January 9, 1986 is consideration of approval of contracts for the Economic Development Special Projects, 11th Year CDBG Program.

## SUNSET VALLEY WASTEWATER SERVICE CONTRACT

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, adopted a resolution approving a wastewater service contract between the City of Austin and City of Sunset Valley. (4-0 Vote, Mayor Pro Tem Trevino, Councilmember Rose out of the room, Councilmember Carl-Mitchell absent.)

## MULTIFAMILY HOUSING REVENUE BONDS

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, adopted a resolution approving the \$4,360,000 Austin Housing Finance Corporation Multi-family Housing Revenue Bonds (Oak Run VIII Apartment Project) Series 1985. (5-0 Vote, Councilmember Rose out of the room, Councilmember Carl-Mitchell absent.)

## ZONING ORDINANCE

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, passed through SECOND AND THIRD READINGS of an ordinance amending Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following change: (Conditions have been met.)

ALFRED D. HUGHES	9123-9157 U.S. 183	From "LI" & "CS-1"
By David B. Armbrust	9110-9200 Burnet Road	to "LI-PDA"
Cl4r-85-143		

(5-1 Vote, Councilmember Humphrey voted No, Councilmember Carl-Mitchell absent.)

## CONTRACT APPROVED

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the following contract: (4-1 Vote, Councilmember Humphrey voted No, Councilmember Rose out of the room, Councilmember Carl-Mitchell absent.)

THOMAS HINDERER COMPANY, INC.  
P. O. Box 3264  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Renovation of Shipe, Civitan,  
Govalle and Westenfield Pools,  
Parks and Recreation Department  
Total \$557,500.00 C.I.P. Nos.  
75/86-09, 83/86-74, 82/86-74 &  
82/86-51

## PUBLIC HEARING - PAVING ASSESSMENTS

Mayor Cooksey opened the public hearing set for 4:00 p.m. to consider paving assessments to be levied on North Bluff Phase II.

Mr. Ridings, Director of Public Works, explained the assessments. No one else appeared before Council.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance approving paving assessments to be levied on North Bluff Phase II, consisting of one unit covering an intersection. CAPITAL IMPROVEMENTS PROGRAM No. 78/62-32. (6-0 Vote, Councilmember Carl-Mitchell absent.)

## CHANGE ORDER APPROVED

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving a Change Order in the amount of \$480,107.40 to Austin Road Company for Braker Lane Paving and Drainage Improvements. (11.9% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 85/22-08.) (6-0 Vote, Councilmember Carl-Mitchell absent.)

## PUBLIC HEARING ON RESTRICTING SMOKING IN PUBLIC PLACES

Mayor Cooksey opened the public hearing set for 5:30 p.m. on an ordinance restricting smoking in public places.

Dr. Cliff Price, Texas Department of Health, read a statement concerning the dangers of active and passive smoking. He said smoking is the single largest cause of premature death in America."

Dr. Price, obstetrician, told how a smoking mother can retard the growth of the baby and that children of smoking parents have a high rate of upper respiratory disease. Dr. Tony Seidenberg supported the two previous statements.

Dr. James Cole, pulmonary internist, discussed the real and present danger of sidestream effects on non-smokers and said he could not imagine one bad side effect from the ordinance.

A man who did not identify himself favored smoking wherever one wishes.

David Ellis, ex-smoker, favors the ordinance. A man who did not identify himself said smoking is an assault on one's body. Susan Sanders representing District V, Texas Nurse's Association, said they favor the ordinance.

Gerald Stone, vice-president, Night Hawk Restaurants, pointed out some things wrong with the ordinance that should be cleared up for restaurant owners.

Jerry Pearson, psychologist, said there are side effects of anger, fatigue, and depression from smoking. He favors the ordinance.

A man who did not identify himself, who spoke in sign language, was interpreted as stating he suffered from passive smoking.

Bill Drake favors the ordinance and discussed the bad effects from sidestream smoke. Melissa Morgan, Stop Smoking Center, favors the ordinance. Agnes Edwards also favors it.

A woman who did not identify herself is against smoking, as is Dr. Craig Stolts, Elaine Shelton, Glenn Hauserfluk, James Brown and Michael Horewitz. Mike Hennesy also favors the ordinance.

Conn McCampbell, who owns a billiard bar on 6th Street said the ordinance would make him a policeman in his own business. He said it would be difficult to partition his place of business for non-smokers.

The owner of the Black-Eyed Pea Restaurant asked for an advisory board and feed-back from the people.

Other people favoring the ordinance are: Willie Greet, Gail Schaff, Karen Nyland, Ms. Mauzy, Billy Clifford, Don Hays, Dorothy Richter.

Brad Gebhard, who owns two smoking shops, discussed his business. Jerry Ray, owner of a bowling alley, also had questions concerning his business.

#### Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, closed the public hearing and PASSED THROUGH FIRST READING ONLY an ordinance restricting smoking in public places. (6-0 Vote, Councilmember Carl-Mitchell absent.) SECOND and THIRD readings of the ordinance will be on January 9, 1986 at 5:30 p.m.

#### EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of:

- a. Selection of Municipal Court Judges, Section 2, Paragraph g.
- b. Pending Litigation including but not limited to: Houston Lighting and Power Company, et al vs. Brown and Root, et al in Matagorda County, and City of Austin vs. Houston Lighting & Power Co. in Travis County - Section 2, Paragraph e.

## RECESS

Council recessed its meeting at 8:25 p.m. and resumed its recessed meeting at 9:15 p.m.

## ZONING HEARINGS POSTPONED

Council postponed until February 6, 1986 at 4:00 p.m. the following zoning cases:

r-85 044	ALFRED LEHTONEN By Miguel Guerrero	5610-5800 Capital of Texas North Highway	From "I-SF-2" & "SF-2" To "CO" RECOMMENDED
8-85 004	LAS CIMAS PUD By Austin Southwest Corp.	624 Capital of Texas Highway South	From "I-SF-2" To "PUD-Office/Retail" RECOMMENDED
-85 350-	TREELINE PROPERTIES By U.S. Immigration and Naturalization Service	3708 South 2nd Street	From "CS" To "p"
-85 149 (Part)	SKYLINE ASSOCIATES By Charles Durn	11306-11410 N. Lamar Boulevard	From "I-RR" To Tr. a "GR" Tr. b "GR" Tr. c "GR" NOT RECOMMENDED RECOMMENDED Tr. a "LO", Tr. b "GR" & Tr. c "GR"

Council postponed hearing on the following zoning case until January 9, 1985 at 4:00 p.m.:

-85 377	CITY OF AUSTIN By Office of Land Development Services	1223-1309 Rosewood Avenue	From "SF-3" To "CS"
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## HEARING SET

The Council set a public hearing for February 13, 1986 at 6:00 p.m. on Ms. Linda Salinas request for a hearing on an appeal of the Planning Commission decision concerning special permit for Congress 25 LTD. (C14p-85-032).

## ZONING HEARING

Mayor Cooksey opened the zoning hearing set for 4:00 p.m.. Council heard, closed the public hearing and passed through FIRST READING ONLY of an ordinance as follows:

r-85 STEVE R. SCOTT  
308 By Minter,  
Joseph & Thornhill

4508 Hwy. 183 South

From "I-SF-2"  
To "CS"

RECOMMENDED subject to  
dedication of up to 45'  
of right-of-way from  
centerline of Burleson.  
FIRST READING ONLY

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Carl-Mitchell absent.)

## HEARING - ETHICS ORDINANCE

Mayor Cooksey opened the 5:00 p.m. hearing on proposed Ethics and Financial Disclosure Ordinance.

John Hildreth told Council he has checked the ordinances all over the state as a member of the Blue Ribbon Ethics Review Commission.

Jim Kauzer, member of Blue Ribbon Ethics Review Commission, said there are no conflicts or problems and in 1987 there will be Charter amendments. He said there are more questions on the revolving door policy than anything else.

Motion

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (6-0 Vote, Councilmember Carl-Mitchell absent.)

## PUBLIC HEARING - AMENDMENTS TO ROADWAY PLAN

Mayor Cooksey opened the public hearing scheduled for 6:00 p.m. on amendments to the Austin Metropolitan Area Roadway Plan.

Allen Brecher, Director of Urban Transportation, reported and

gave a review. COPY OF REPORT IS ON FILE IN CITY CLERK'S OFFICE. Mr. Brecher said staff wants to delay FM 1626; Arterial 7 as Travis County is working on that one; and Arterial 13.

Ann Gray asked Arterial 7 not be deleted from Roadway Plan.

Dee Phillips discussed the Trail of Madrones.

Breda Bosh does not want Arterial 7. Bill House, Mary Urb, Harry Wallingford, Hal Weimer were also against Arterial 7. Jay Powell favors Arterial 7. Paul Linehan, Westlake Subdivision, opposes Arterial 7.

Chris Caperton, transportation planner for Travis County, discussed the roadway plan. Don Safely discussed Torro Canyon.

Mr. Brecher said consideration of Arterial 7 will be brought back no later than the third week in January, after the County does its review.

There was discussion of Spanish Oak and Mayor Cooksey suggested this be delayed until 183 is decided.

Councilmember Rose read the following into the record:

That the City of Austin hereby defines the term "scenic freeway" for use in the Austin Metropolitan Area Roadway Plan as applicable to the proposed MoKan right-of-way as a subcategory of Freeway; a scenic freeway is a divided roadway of six lanes or more (3 in each direction), which has a minimum right-of-way of 300 feet without frontage roads and a minimum of 400 feet with frontage roads; with no at-grade crossings; has fully-controlled access to the mainlanes; frontage roads may be provided for local access where needed; with driveway cuts with a minimum of 250 feet between spacing to facilitate better traffic movement; has median widths (or other contiguous areas) which could facilitate future transitways; and has a generous greenspace buffer between the roadway and adjacent development which preserves and enhances the natural landscape as much as possible and exceeds that required under a standard freeway section, but no less than an additional 25 feet contiguous to the frontage roads or freeway right-of-way plus an additional 25-foot building setback line.

#### Motion

The Council, on Councilmember Rose's motion, Councilmember Shipman's second, closed the public hearing and approved the following amendments to the Austin Metropolitan Area Roadway Plan: (6-0 Vote, except 5-0 vote on Brodie Lane with Mayor Pro Tem Trevino abstaining on this segment due to conflict of interest, Councilmember Carl-Mitchell absent for roll call.)

Approved U.S. 183, Ben White Boulevard, Brodie Lane,

Howard Lane, Dittmar Lane, Stonelake Boulevard, Great Hills Trail, Mogan Boulevard as a scenic boulevard as stated by Councilmember Rose, Farmer Lane, Springdale Road, and Giles Road.

**PUBLIC HEARING - DECKER CREEK MUDs 1-5**

Mayor Cooksey opened the public hearing set for 6:30 p.m. to consider consenting to the creation of the Decker Creek MUDs 1-5.

Terry Childers, First Assistant City Manager; Jim Duncan, Director of OLDS; Jim Thompson, Director of Water and Wastewater; and Sarah Farley all presented staff reports.

Members of the community who spoke were Jody Richardson representing Homecraft; Roy Bechtol, land planner; Frank Harrison; Enrique Lopez; Janet Klotz; Hilbert Maldonado; Phil Savoy; Bert Cromack; and Ed Wendler.

Motion

The Council, on Mayor Cooksey's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance creating Decker Creek MUDs 1-5. (6-0 Vote, Councilmember Carl-Mitchell absent.)

**MOORE'S CROSSING AND NORTH TRAVIS MUD**

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution consenting to the creation of the Moore's Crossing Municipal Utility District. (6-0 Vote, Councilmember Carl-Mitchell absent.)

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the creation of the North Travis County Municipal Utility District 1, 2 and 3. (6-0 Vote, Councilmember Carl-Mitchell absent.)

**PUBLIC HEARING TO BE CONTINUED**

The public hearing scheduled for 7:00 p.m. to consider consenting to the creation of the Point Venture II MUD was continued to January 16, 1986 at 7:00 p.m.

## PUBLIC HEARING - CLUSTER HOUSING

Mayor Cooksey opened the public hearing set for 7:30 p.m. on amendments to Chapter 13-3, Article VII, Division 2 of the City Code (Subdivision Ordinance, Barton Creek Watershed) regarding cluster housing.

Mayor Cooksey said he felt that cluster housing is step forward.

Jerry Harris, representing Ben Barnes development, spoke in favor of the amendment. Mr. John Connally also supports the ordinance.

Bert Cromack spoke in opposition.

Paul Linehan spoke in favor of cluster housing. Jack Goodman also discussed the ordinance.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance with amendments to Chapter 13-3, Article VII, Division 2 of the City Code (Subdivision Ordinance, Barton Creek Watershed) regarding cluster housing. (6-0 Vote, Councilmember Carl-Mitchell absent.)

## MUNICIPAL JUDGES

As a result of discussion during executive session earlier in the meeting, the following motion was made:

Motion

Councilmember Urdy made the following motion: "I move we reappoint current Municipal Court judges and their salaries for presiding judges will be \$25.00 an hour with associate and relief judge salaries at \$21.00 an hour, and that we ask the Travis County Bar Association to appoint a screening committee to screen applicants for Municipal judges and make three recommendations to grant prime recommendations number one, number two and number three.

Friendly Amendment and Second to Motion

Mayor Pro Tem Trevino seconded the motion and offered a friendly amendment to have Travis County Bar Association select a committee of three with one of those individuals having some experience with practice at Municipal Court level. The friendly amendment was accepted.

Roll Call

6-0 Vote, Councilmember Carl-Mitchell absent.

## SCHEMATIC PLANS U.S. 290/SH 71

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, adopted a resolution approving Schematic Plans on U.S. 290/SH 71 for protection of proposed right-of-way. CAPITAL IMPROVEMENTS PROGRAM No. 85/62-02. (6-0 Vote, Councilmember Carl-Mitchell absent.)

## WATERFRONT PLANNING ADVISORY BOARD

Councilmember Shipman introduced an item to Council to consider creating a Waterfront Planning Advisory Board. She said the board shall be composed of seven members, who shall be appointed by the Council to serve two-year terms.

Motion

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, approved creation of a Waterfront Planning Advisory Board. (6-0 Vote, Councilmember Carl-Mitchell absent.)

## PAY EQUITY

Councilmember Shipman introduced an item to Council to consider a proposal for a pilot study to address pay equity issues for City of Austin employees. A resolution will be brought before Council in January.

## PUBLIC HEARING SET

Council set a public hearing on January 16, 1985 at 5:00 p.m. as requested by Mr. Richard G. Garza that Council set a hearing on the decision of the Electrical Board regarding a master's license for Mr. Bob Weik.

## IN-CITY MUD's

An item from Councilmembers Rose and Shipman concerning consideration of any city policies regarding in-city MUDs, as affected by the Texas Water Commission policy was discussed earlier.

## ADJOURNMENT

Council adjourned its meeting at 3:00 a.m. December 20, 1985.